

Appl. No.: 09/851,404
Amdt. dated 10/01/2008
Reply to Office Action of 07/02/2008

Amendments to the Drawings:

The attached replacement drawing sheets include modified versions of all of the figures (i.e., Figs. 1A, 1B, 2-6, 7A-7C, 8A, 8B, 9-16). Note that previously the figures were included on 11 drawing sheets, however, due to Figs. 1A and 1B, and Figs. 11 and 12 now being separated onto different drawing sheets, the modified figures are included on 13 replacement drawing sheets.

REMARKS/ARGUMENTS

This response is submitted in reply to the Office Action dated July 2, 2008. Applicants appreciate the thorough examination of the present application, as evidenced by the Office Action. The Office Action objects to the specification for not providing proper antecedent basis for subject matter included in claims 17, 38, and 56. Applicants respectfully traverse with argument provided below. The Office Action also objects to various figures for being small, unfocused, and/or difficult to read. Applicants have provided modified replacement figures, and as such the objection to the figures is overcome. Further, the Office Action objects to various claims for informalities. Applicants have amended the objectionable claims, and therefore the objections to the claims are overcome.

The Office Action also rejects claims 1-3, 7-14, 16-17, 19-20, 22-25, 29-43, 45-47, and 49-56 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,047,033 to Wyler, in view of U.S. Patent No. 6,973,619 to Hirose et al. Claims 4-6, 21, 26-28, and 48 are rejected under 35 U.S.C. §103(a) as being unpatentable over Wyler in view of Hirose, in further view of various ones of U.S. Patent No. 6,775,689 to Raghunandan, "A Framework for Adaptive Content Delivery in Heterogeneous Network Environments" authored by Ma et al., and U.S. Patent No. 6,300,947 to Kanevsky. As explained below, Applicants respectfully submit that the claimed invention is patentably distinct from the cited references, taken individually or in any proper combination. Nonetheless, Applicants have amended various ones of the claims to further clarify the claimed invention. Applicants have also added new claim 57 to further clarify aspects of the claimed invention. No new matter has been added by the amendment.

In view of the amendments to the claims and the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

A. Objections to the Specification

The Office Action objects to the specification for lacking antecedent basis for claims 17, 38, and 56. Applicants respectfully traverse.

With regard to the antecedent basis for the subject matter of claim 17, the Office Action

indicates that the language “directing a user to the later portion in response to opening of the document” has no support or antecedent basis in the specification. However, support for this subject matter can be found at least at paragraph [0042] where the specification states “[a] third approach is to provide an internal annotation to the subdocument containing the beginning of the main content and cause the display device to start directly at this subdocument when the user requests the document.” Accordingly, at least this subject matter of the specification provides support for “directing a user to the later portion in response to opening the document,” as recited in claim 17. In particular, the annotation containing the beginning of the main document described in the specification directs the user to the later portion, the later portion being the beginning of the main content. Further, “in response to opening the document,” portion of claim 17 is supported by the specification since the specification states that the display device starts directly at the subdocument when the user requests the document. Therefore, the objection to the specification in this regard is traversed.

With regard to the antecedent basis for the subject matter of claim 38, the Office Action indicates that the term “medium” has improper antecedent basis in the specification. The Office Action goes on to state that the specification does not describe the recited term “medium” is a way that allows the meaning of the term to be ascertained. However, the meaning of the term “medium” within the context of originally filed claim 38 would be clear to one of skill in the art. Claim 38 recites “A data structure stored on a medium....” In this context, one of skill in the art would understand that the term “medium” would be any type of data storage device, such as a memory device or other storage device capable of storing a data structure. Paragraph [0015] uses the term “medium” in a similar context with regard to the storage of a data structure.

As such, one of skill in the art would be able ascertain the meaning of the term “medium” in the context of storing a data structure on the medium based on the subject matter included in the originally filed application. As such, the objection to the specification in this regard is traversed.

With regard to the antecedent basis for the subject matter of claim 56, the Office Action indicates that the term “storage medium” has no support or antecedent basis in the specification. However, the meaning of the term “storage medium” within the context of paragraph [0015] of

the originally filed application, which states “a data structure stored on a medium” would be clear to one of skill in the art. It would be inherent to one of skill in the art that if a data structure can be stored on the medium, then the medium is a storage medium. Further, in context with the storage of a data structure, it would be clear to one of skill in the art that the storage medium would inherently be a computer-readable storage medium as recited in claim 56. As such, support for the phrase “storage medium” can be ascertained and proper antecedent basis is found at least at paragraph [0015] coupled with the knowledge of one of skill in the art. As such, the objection to the specification in this regard is traversed.

B. Objections to the Drawings

The Office Action also objects to Figs. 1A, 1B, 3, 5,6,7A, 7B, 7C, 8A, 8B, 9, 11, and 13-15 for being small, unfocused, and/or difficult to read. The attached replacement sheets of drawings include modified versions of Figs. 1A, 1B, 3, 5,6,7A, 7B, 7C, 8A, 8B, 9, 11, and 13-15. The modifications to the drawings merely clarify the content of drawings as filed. No new matter has been added to the drawings in the replacement sheets. The annotation “PRIOR ART” has been added to FIGS. 1A and 1B. Based on the foregoing and the attached drawing sheets, the objections to the drawings are overcome.

C. Objections to the Claims

Claims 1, 36, 38, 41, 42, 53, and 56 are objected to for informalities. The claims include the phrase “in which,” which the Office Action finds objectionable. In accordance with the recommendations provided in the Office Action, the objectionable claims have been amended to replace “in which” with “wherein.” Accordingly, the objections to the claims are overcome.

D. Rejection of Claims 1-3, 7-14, 16-17, 19-20, 22-25, 29-43, 45-47, and 49-56

The Office Action rejects claims 1-3, 7-14, 16-17, 19-20, 22-25, 29-43, 45-47, and 49-56 as being unpatentable over Wyler, in view of Hirose. According to one aspect of the claimed invention, as reflected by amended independent Claim 1, a method is provided that includes reorganization information including a hyperlink. The hyperlink points to a location of a particular portion of content that is not at a beginning of the order defined by serial data associated with an electronic document. The location pointed to by the hyperlink is determined

based on the content of the serial data, without regard to the ordering of the portions. In this regard, the location pointed to by the hyperlink is directed to “a particular portion of the content” and not on an ordering of the portions.

In contrast to independent Claim 1, neither Wyler or Hirose, taken individually or in any proper combination, teach or suggest the location being determined based on the content of the serial data and without regard to the ordering of the portions. The Office Action alleges that Hirose cures the deficiencies Wyler for disclosing the hyperlink as recited in claim 1.

Hirose discloses the creation of “next” and “previous” buttons for use in navigating a divided document. As cited by the Office Action, at Col. 17, Lines 47 – 49, Hirose states “[b]uttons for navigation between pages (the NEXT and PREV buttons) are also automatically generated so that a user can easily navigate divided pages.” This disclosure clearly contrasts amended claim 1. The next and previous buttons of Hirose are links to the next or previous divided pages and are therefore determined based on an ordering of the pages. For example, a next button for divided page 1 would be a link to the next ordered page or divided page 2. In contrast, the location pointed to by the hyperlink recited in claim 1 is not determined based on the ordering of the portions. Rather, the location is determined based on the content of the serial data used to make up the portions.

Applicants therefore respectfully submit that neither Wyler nor Hirose, taken individually or in any proper combination, teach or suggest the location of a hyperlink being determined based on the content of the serial data and without regard to the ordering of the portions, as recited by amended independent claim 1. As such, Applicants respectfully submit that amended independent claim 1, and by dependency claims 2-14, 16-17, and 19-35, are patentably distinct from Wyler and Hirose, taken individually or in any proper combination. Applicants also respectfully submit that amended independent claims 36, 38, 41, 42, 53, and 56, recite subject matter similar to that of amended independent claim 1, including a hyperlink pointing to a location, the location being determined based on the content of the serial data and without regard to the ordering of the portions. As such, Applicants respectfully submit that amended independent claims 36, 38, 41, 42, 53, and 56, and by dependency claims 37, 39-40, 43, 45-52,

and 55, are also patentably distinct from Wyler and Hirose, taken individually or in any proper combination, for at least the reasons given above with respect to amended independent claim 1.

Applicants therefore respectfully submit that the rejection of claims 1-3, 7-14, 16-17, 19-20, 22-25, 29-43, 45-47, and 49-56 as being unpatentable over Wyler, in view of Hirose is overcome.

D. Rejection of Claims 4-6

The Office Action rejects claims 4-6 as being unpatentable over Wyler in view of Hirose, in further view of Raghunandan. As explained above, amended independent claims 1, 36, 38, 41, 42, 53, and 56, and by dependency claims 2-14, 16-17, 19-35, 37, 39-40, 43, 45-52, and 55, are patentably distinct from Wyler in view of Hirose. Applicants respectfully submit that Raghunandan does not cure the deficiencies of Wyler in view of Hirose. That is, neither Wyler in view of Hirose, nor a combination with Raghunandan teaches or suggests the claimed invention. Thus, for at least the foregoing reasons given above with respect to amended independent claims 1, 36, 38, 41, 42, 53, and 56, and by dependency claims 2-14, 16-17, 19-35, 37, 39-40, 43, 45-52, and 55 are also patentably distinct from Wyler in view of Hirose, and Raghunandan, taken individually or in any proper combination.

Applicants accordingly submit that the rejection of claims 4-6 as being unpatentable over Wyler in view of Hirose, in further view of Raghunandan is overcome.

E. Rejection of Claims 21 and 48

The Office Action rejects claims 21 and 48 as being unpatentable over Wyler in view of Hirose, in further view of Ma. As explained above, amended independent claims 1, 36, 38, 41, 42, 53, and 56, and by dependency claims 2-14, 16-17, 19-35, 37, 39-40, 43, 45-52, and 55, are patentably distinct from Wyler in view of Hirose. Applicants respectfully submit that Ma does not cure the deficiencies of Wyler in view of Hirose. That is, neither Wyler in view of Hirose, nor a combination with Ma teaches or suggests the claimed invention. Thus, for at least the foregoing reasons given above with respect to amended independent claims 1, 36, 38, 41, 42, 53, and 56, and by dependency claims 2-14, 16-17, 19-35, 37, 39-40, 43, 45-52, and 55 are also

patentably distinct from Wyler in view of Hirose, and Ma, taken individually or in any proper combination.

Applicants accordingly submit that the rejection of claims 21 and 48 as being unpatentable over Wyler in view of Hirose, in further view of Ma is overcome.

F. Rejection of Claims 26-28

The Office Action rejects claims 26-28 as being unpatentable over Wyler in view of Hirose, in further view of Kanevsky. As explained above, amended independent claims 1, 36, 38, 41, 42, 53, and 56, and by dependency claims 2-14, 16-17, 19-35, 37, 39-40, 43, 45-52, and 55, are patentably distinct from Wyler in view of Hirose. Applicants respectfully submit that Kanevsky does not cure the deficiencies of Wyler in view of Hirose. That is, neither Wyler in view of Hirose, nor a combination with Kanevsky teaches or suggests the claimed invention. Thus, for at least the foregoing reasons given above with respect to amended independent claims 1, 36, 38, 41, 42, 53, and 56, and by dependency claims 2-14, 16-17, 19-35, 37, 39-40, 43, 45-52, and 55 are also patentably distinct from Wyler in view of Hirose, and Kanevsky, taken individually or in any proper combination.

Applicants accordingly submit that the rejection of claims 26-28 as being unpatentable over Wyler in view of Hirose, in further view of Kanevsky is overcome.

G. New Claim 57

Applicants have added new claim 57 to clarify aspects of the present application. The new claim includes no new matter and is fully supported by the specification and the drawings of the present application at least at paragraph [0042]. Claim 57 is dependant from claim 1, and therefore, claim 57 is patentable at least for the same reasons as claim 1 provided above as well as including additional features not taught or suggested by the cited references, taken either individually or in proper combination.

Accordingly, it is believed that the new claim is in condition for allowance.

Appl. No.: 09/851,404
Amdt. dated 10/01/2008
Reply to Office Action of 07/02/2008

CONCLUSION

In view of the amendments to the claims and the remarks presented above, Applicants respectfully submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicants' undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Nathaniel T. Quirk
Registration No. 60,676

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111
LEGAL02/30926470v1

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON OCTOBER 1, 2008.